

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

YURI COUTO,

an individual,

Plaintiff,

-against-

JPMORGAN CHASE & CO., a Delaware corporation,

Defendant.

Civil Action No.: 1:23-cv-09306-LTS

**DECLARATION OF
DIANE C. RAGOSA IN SUPPORT OF
DEFENDANT'S MOTION
TO DISMISS COMPLAINT**

I, Diane C. Ragosa, an attorney duly licensed to practice law in the State of New York, declare and affirm under penalty of perjury as follows:

1. I am an attorney admitted to the practice of law in the State of New York and a partner of the law firm of Parker Ibrahim & Berg LLP, attorneys for JPMorgan Chase & Co. ("Chase").

2. I submit this declaration in support of Defendant's memorandum of law in support of Motion to Dismiss the Complaint filed by Plaintiff Yuri Corto ("Plaintiff"), pursuant to Rule 12(b)(5) and Rule 12(b)(6) of the Federal Rules of Civil Procedure (the "Motion"), and to provide the Court with copies of certain loan documents that Plaintiff incorporates by reference into the Complaint, and that are integral to the claims therein, as well as unpublished decisions referenced in the memorandum of law.

3. On October 26, 2023, Plaintiff commenced this action in the United States District Court, Southern District of New York. (ECF Doc. No. 1.)

4. On or about November 24, 2023, Plaintiff mailed the Complaint via United States Postal Service Certified Mail to The Corporation Trust Company, the registered agent for Chase,

where it was received on December 1, 2023. A true and correct copy of the Service of Process Transmittal Summary, Certified Mail Receipt, and United States Postal Service Tracking are attached hereto as **Exhibit A**.

5. A true and correct copy of the Court's decision in *Conway v. Am. Red Cross*, No. CV 10-1859 (SJF)(ARL), 2010 U.S. Dist. LEXIS 120512 (E.D.N.Y. Nov. 15, 2010) is attached hereto as **Exhibit B**.

6. A true and correct copy of the Court's decision in *Dr. Muhammad v. Annucci*, No. 19 Civ. 3258 (GBD)(OTW), 2023 U.S. Dist. LEXIS 45505 (S.D.N.Y. Mar. 17, 2023) is attached hereto as **Exhibit C**.

7. A true and correct copy of the Court's decision in *Emerald Town Car of Pearl River, LLC v. Philadelphia Indem. Ins. Co.*, No. 16 CIV. 1099, 2017 U.S. Dist. LEXIS 56805 (S.D.N.Y. Apr. 12, 2017) is attached hereto as **Exhibit D**.

8. A true and correct copy of the Court's decision in *Savage v. Galaxy Media & Mktg. Corp.*, No. 11 Civ. 6791 (NRB), 2012 U.S. Dist. LEXIS 93944 (S.D.N.Y. July 5, 2012) is attached hereto as **Exhibit E**.

9. A true and correct copy of the Court's decision in *Welch v. Hertz Car Rental Agency*, No. 1:18-CV-00717 EAW, 2019 U.S. Dist. LEXIS 43962 (W.D.N.Y. Mar. 18, 2019) is attached hereto as **Exhibit F**.

10. A true and correct copy of the Court's decision in *Zaerpour v. JP Morgan Chase Bank*, No. 21 Civ. 9680 (JPC)(JLC), 2022 U.S. Dist. LEXIS 140869 (S.D.N.Y. Aug. 8, 2022) is attached hereto as **Exhibit G**.

11. A true and correct copy of the Court's decision in *Anders v. Verizon Communs. Inc.*, No. 16-CV-5654 (VSB), 2018 U.S. Dist. LEXIS 95303 (S.D.N.Y. June 5, 2018) is attached hereto as **Exhibit H**.

12. To the best of my knowledge, there are no unpublished opinions that run contrary to the above-referenced unpublished opinions.

13. I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 8, 2023

PARKER IBRAHIM & BERG LLP
Attorneys for Defendant,
JPMorgan Chase & Co.

/s/ Diane C. Ragosa
Diane C. Ragosa